

Exhibit E

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHIRLYN SUMMERS, as Mother and Natural
Guardian of Infant, D.B. and SHIRLYN SUMMERS,
Individually,

17-cv-01495 GRB-AYS

Plaintiffs,

COMPROMISE ORDER

-against-

LONG BEACH CITY SCHOOL DISTRICT a/k/a
LONG BEACH PUBLIC SCHOOLS, LISA
WEITZMAN, JEAN MARIE LILLEY, LAUREN
SCHNEIDER, SABRINA CANTORE, VINCENT
RUSSO, DR. RANDI BERGER, DR. MICHELE
NATALI, DAVID WEISS, in their Individual and
Official Capacities and JOHN AND JANE DOE'S 1-20,
whose identities are unknown at present,

Defendants.

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Upon reading and filing the Affidavit of Shirlyn Summers, the mother and legal guardian of the person and property of Dayaira Byron, duly sworn to on June 1, 2022, the Affirmation of Andrew Costello, Esq., duly affirmed on June 2, 2022, the exhibits annexed thereto, and upon all of the pleadings and proceedings heretofore had herein, and it appearing that the within action has been settled by Plaintiffs and all the Defendants in the total amount of \$725,000, and it appearing that the total settlement will be distributed as follows:

Gross Settlement	\$ 725,000.00
Disbursements/Expenses	\$ 10,714.00
Net Settlement	\$ 714,286.00
Attorney Fee (30% per retainer)	\$ 214,285.80
Net to Client	\$ 500,000.20

(Expenses partially waived from \$13,663 to \$10,714
to net Client no less than \$500,000)

It appearing that the best interests of the Plaintiffs will be served by compromising the action;

NOW, on the motion of Leeds Brown Law, P.C., attorneys for the Plaintiffs herein, it is hereby,

ORDERED that Shirlyn Summers, as mother and legal guardian of the person and property of Dayaira Byron (age 21, born in 2001), is authorized, empowered, and directed to compromise and settle the causes of action of the Plaintiffs arising from abuse suffered by Dayaira Byron while a student at the Long Beach Middle School in the sum of \$725,000; and it is further

ORDERED that the total settlement of \$725,000 be paid by NY Schools Reciprocal Insurance in the name of the Defendants Long Beach City School District a/k/a Long Beach Public Schools, Lisa Weitzman, Jean Marie Lilley, Lauren Schneider, Sabrina Cantore, Vincent Russo, Dr. Randi Berger, Dr. Michele Natali, and David Weiss, in their individual and official capacities, and it is further

ORDERED that the settlement proceeds be distributed as follows:

- a) \$500,000.20 made payable to Leeds Brown Law, P.C. to be held in escrow by said firm for the benefit of Dayaira Byron, which funds shall be released as set forth in a further Order of the Surrogate's Court, Nassau County, File No. 2020-4424, that authorizes the marshaling of said funds by the Trustee(s) of the Special Needs Trust for the benefit of the incapacitated Plaintiff, Dayaira Byron.
- b) \$214,285.80 made payable to Leeds Brown Law, P.C.; and it is further

ORDERED that jurisdiction over the use of the funds subject to this Compromise Order and the execution and filing of a bond is hereby transferred to the Surrogate's Court, Nassau

County File No. 2020-4424, said Court having jurisdiction over Shirlyn Summers as Guardian of Dayaira Byron; and it is further

ORDERED that the Guardian, Shirlyn Summers, be and is hereby directed to make an application to the Surrogate's Court, Nassau County for the establishment of a Special Needs Trust for the benefit of Dayaira Byron, and authority for the Trustee(s) of said Trust to marshal the proceeds herein on behalf of the Plaintiff, Dayaira Byron, within 45 days of the date of this Order; and it is further

ORDERED that upon compliance with the terms of this Order, Shirlyn Summers, as mother and legal guardian of the person and property of Dayaira Byron, be and hereby is authorized to deliver a release and any and all papers necessary to effectuate such settlement and collect such monies herein, and Plaintiffs' attorney is hereby authorized to deliver a Stipulation of Dismissal of this action to Defendants.

Dated: Central Islip, New York

_____, 2022

ENTER:
